

From: DJ Hagberg
To: Microsoft ATR
Date: 1/23/02 3:55pm
Subject: Microsoft Settlement

The current settlement as proposed by the US Department of Justice and Microsoft at best is ineffectual and at worst grants Microsoft power to pursue its monopoly in even more aggressive ways. It must NOT be accepted in its current state -- severe behavioral or structural remedies are warranted.

With the current settlement, Microsoft is free to pursue lock-in contracts with computer vendors, withhold documentation on protocols critical for interoperability with free software (under the guise of a vague "security-critical" term), expand their Internet Service Provider business, MSN, to the exclusion of non-Microsoft operating systems, and expand their customer lock-in through the Passport system.

This remedy also gives NO rights to one of the most viable alternatives to Microsoft's lock in -- the Open Source and Free Software organizations responsible for the creation of Linux, Apache, and SAMBA.

As a matter of fact, these organizations are **explicitly** excluded in section III(J)(2). In fact this settlement gives Microsoft more power to exclude free and open software from their market.

The proposed settlement is no remedy. This must be changed. My recommendations would include:

- Ceding control of /all/ Microsoft Office file formats to an open, **royalty-free** standards body such as W3C.
- Ceding control of /all/ Microsoft networking protocols and related network data formats to an open, **royalty-free** standards body such as W3C.
- The above file formats and networking standards shall be available on-line on Microsoft's website, accessible by any standards-compliant web browser, unencumbered by registration, royalty, or other protection clauses.
- Regular, independent standards-compliance reviews of Microsoft products against the publically-available standards.

The above regulations leave the software field open to competition, on platforms other than Windows, and provide a competitive marketplace and a standards-compliant base upon which both free and commercial can compete for customer's mindshare and wallets.

Thank you for your time,

D. J. Hagberg, Jr.
Software Engineer
Millibits Consulting
3265 McClure Drive
Erie CO 80516
Ph. 303 926-6918
dhagberg@millibits.com